IN THE HIGH COURT OF JUDICATURE OF BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.988 OF 2005
IN
SUIT NO.1012 OF 2005

Prabhakar Hanumant Sonawane & Ors. ..Plaintiffs.

V/s.

Pratapsinh S.Vallabhdas & Ors. ..Defendants.

Mr.Anil Singh i/b D.R.Shah for plaintiffs.

Ms. Yogini Gada i/b M/s Harakchand & Co. for defendants.

CORAM: A.M.KHANWILKAR,J

DATE : OCTOBER 5, 2005.

P.C. :

1. Heard counsel for the plaintiffs and defendants No.1,2 and 3. None appears for other defendants and respondent. No reply has been filed by any party to oppose this chamber summons. Counsel for defendant No.1 to 3 has no objection if the present chamber summons is allowed. In view of the averments made in the affidavit in support of the chamber summons, in my opinion, presence of respondent M/s Marathon Reality Ltd. is necessary for full, complete and effectual adjudication of suit claim. Accordingly, chamber summons is made absolute in terms of prayer clause (a). Amendment to be carried out within four weeks from today. No order

as to costs.

2. It is clarified that the plaintiffs will be entitled to carry out amendment of impleading respondent as defendant No.5 in the plaint as well as in the derivative proceedings by virtue of this order.